

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

EDUARDO DIAZ,

Petitioner,

v.

PAUL THOMPSON,

Respondent.

No. 2:21-CV-01755-WBS-CKD

ORDER

Petitioner, a federal prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On June 1, 2022, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within twenty-one days. Neither party has filed objections to the findings and recommendations.

The court presumes that any findings of fact are correct. See Orand v. United States, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the file, the court finds the findings and recommendations to be supported by the record and by the magistrate judge's analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed June 1, 2022, are adopted in full.

2. Respondent's motion to dismiss (ECF No. 11) is granted.

3. Petitioner's application for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 is dismissed without prejudice.

3. The Clerk of Court shall close this action.

Dated: June 24, 2022



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

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